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DISCRIMINATION AGAINST INDIGENOUS PEOPLES

Transnational investments and operations on the lands of indigenous peoples

Report of the Centre on Transnational Corporations submitted pursuant to Sub-Commission resolution 1990/26

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Summary

This is the fourth and final report of the former United Nations Centre on Transnational Corporations (CTC) to the Working Group on Indigenous Populations in accordance with the mandate contained in Sub-Commission resolutions 1989/35 of 1 September 1989, 1990/26 of 31 August 1990, 1991/31 of 29 August 1991, and 1992/33 of 27 August 1992. The 1991 report presented a broad overview of policy issues and a survey of the distribution and situation of the indigenous peoples of the Americas, based on responses to questionnaires and secondary sources. The 1992 report took an in-depth view of four case-studies from the United States, Canada, and Panama, focusing on the degree of indigenous peoples' direct participation in decisions affecting their lands.

This year's report expands the geographical coverage of the project to Africa and Asia (South and South-East Asia and Siberia), and presents five new case-studies from those regions which focus on such issues as conflicting forms of land tenure, and co-optation of community leaders by TNCs, the impact of national development plans and structural adjustment programmes where TNCs are the major actors and indigenous peoples the uncompensated victims and finally the transition of the former socialist countries to market economies where officials must now juggle both development and indigenous participation. Each case-study was researched and written using responses to CTC questionnaires, published sources, and information requested from international institutions and the TNCs themselves. They reveal patterns which are consistent with those identified in the Americas by the previous report, and serve to highlight the fundamental importance of secure land rights in determining the conduct of TNCs in indigenous territories.

The United Nations Conference on Environment and Development (UNCED), the International Year of the World's Indigenous People, and other recent developments in the United Nations system reflect a growing interest in devising new programmes to support increased indigenous participation in decision-making via capacity-building in the fields of land management, environmental protection, and the application of traditional forms of ecological knowledge to problems of sustainable development. A comprehensive and reliable database on indigenous peoples and their organizations will be needed to identify potential beneficiaries as well as sources of indigenous expertise. It is recommended that a central United Nations unit be established for this purpose, with adequate staff and facilities including indigenous professionals. This unit would take over the existing database created during the course of this project.

Introduction

1. In the report on its seventh session in 1989, the Working Group on Indigenous Populations recommended that the United Nations Centre on Transnational Corporations (CTC) assist the Working Group "in preparing a database on transnational investments and operations on indigenous peoples' lands and territories, and in particular those lands which are currently in dispute" (E/CN.4/Sub.2/1989/36, annex I). The Sub-Commission on Prevention of Discrimination and Protection of Minorities endorsed this recommendation in its resolution 1989/35 of 1 September 1989.

2. Following technical consultations with the United Nations Centre for Human Rights, CTC proposed a methodology for this database, and for future annual reports to the Working Group, including a draft questionnaire (E/CN.4/Sub.2/AC.4/1990/6). The Working Group expressed its appreciation to CTC, decided to include the questionnaire as an annex to the report on its eighth session, encouraged all parties to provide CTC with the requested information, and invited CTC to report to its ninth session (E/CN.4/Sub.2/1990/42, annex I). Sub-Commission resolution 1990/26 of 31 August 1990 reaffirmed this decision of the Working Group.

3. A preliminary report was submitted to the Working Group in 1991 (E/CN.4/Sub.2/1991/49). A further substantive report was submitted to the Working Group in 1992 (E/CN.4/Sub.2/1992/54). This is the fourth and final report of CTC to the Working Group in accordance with Sub-Commission resolutions 1989/35, 1990/26, 1991/31 and 1992/33. The purposes of this final report are:

(a) To complete the global survey launched in 1991 by focusing on the indigenous peoples of Africa and Asia;

(b) To summarize major findings; and

(c) To make recommendations based on these findings, which could mitigate the adverse impacts of TNCs on indigenous peoples' lands, and increase indigenous peoples' participation in relevant government and TNC decision-making.

I. REGIONAL OVERVIEW OF ASIA AND AFRICA

4. The economies of Asia recorded the highest economic growth rates of any region in 1992 and 1993. According to the Asian Development Bank (ADB), the annual average growth rate of member countries increased from 6.5 per cent in 1992 to 6.7 per cent in 1993. Investment inflows to the region reached US$ 20 billion in 1991, and at least US$ 21 billion in 1992 (UNCTC, 1993, p. 46). It is expected that foreign direct investment will continue to rise, although at a reduced pace. The ADB also reported that government investment in infrastructure increased. While TNCs contributed to these economic successes, their activities have had adverse impacts on indigenous peoples who are concentrated in many of the region's resource-rich areas.

5. Asian Governments and scholars often prefer to use the term, "tribal", rather than "indigenous" to emphasize these peoples' contemporary cultural distinctiveness, as opposed to precedence in time, which is often disputed.

This terminology was adopted by the ILO's Indigenous and Tribal Peoples Convention, 1989 (No. 169). Article 1.1 bases "indigenous" status on historical factors and "tribal" status on socio-cultural factors, although both kinds of groups are accorded the same rights. When this report uses the term "indigenous," it refers to tribal peoples as well.

6. Indigenous and tribal peoples are concentrated in the hills and mountains of South and South-East Asia, and in the forests of most of the region's islands. Roughly 200 million indigenous or tribal peoples live in this region, nearly two thirds of them in India. They range from only 1-2 per cent of the total national population in Thailand and Cambodia, to more than 10 per cent in India, Myanmar, the Laos People's Democratic Republic, and Viet Nam. In some countries, they are a small proportion of the total national population but are dominant in particular subregions, such as Sarawak (Malaysia) and Irian Jaya (Indonesia).

7. Significant concentrations of indigenous and tribal peoples are shown in map 1. For India, the shading indicates areas where scheduled tribes comprise 50 per cent or more of the population in 1971 according to Moonis Raza and Aijazuddin Ahmad, An Atlas of Tribal India (1990). For other countries in the region, the exact proportion of tribal peoples in the population of districts or subregions is unreported. Map 1 should therefore be regarded as suggestive, and may underrepresent the actual distribution and significance of indigenous peoples in some countries. Indigenous peoples are also found in central and western Asia, along much of the Chinese-Russian-Mongolian border, in the easternmost Russian regions of Siberia, Kamchatka and Chukotka, and most of Russia's Arctic (see map 2), as well as Australia, New Zealand, and the islands of the Pacific Ocean.

8. The definition of indigenous peoples is problematic within the African context. There is a reluctance on the part of many African Governments to recognize specific tribal groups as "indigenous," or to accord them special protection. There are a few exceptions, and they are peoples who are nomadic or particularly isolated, such as desert herders, and forest hunter-gatherers. Among Africa's indigenous peoples by this strict definition are the "Pygmies" in the forests of west and central Africa; the Touareg of the Sahel in Mali, Algeria, Libya, and Niger; the San and Kung "Bushmen" in the deserts of southern Africa; and Maasai pastoralists in east Africa. The land rights of these non-sedentary groups are often overlooked in government policies, and their subsistence activities are sometimes perceived as an impediment to national economic development. Owing to these groups' social isolation, there are few cases of the formation of political organizations to defend groups' rights.

9. Burdened with high levels of external debt and low savings rates, African countries are particularly anxious to attract TNCs to finance and to develop their extractive industries. Although inflows to Africa rose to US$ 2.5 billion in 1991, the increase was below the annual average for the period 1985-1990, which was about US$ 2.7 billion (UNCTC, 1993, p. 54). International finance institutions have likewise encouraged greater privatization of these countries' economies. As a result, TNCs are rapidly replacing parastatals as the dominant force in the development of Africa's natural resources. Land use policies designed to attract TNCs are frequently complementary with policies of sedentarization and assimilation of diverse ethnic and tribal groups.

II. ANALYSIS OF ASIAN AND AFRICAN CASE STUDIES

10. Several common themes emerge from the Asian and African case studies. One of them is the widespread failure of Governments to recognize indigenous peoples' land rights. In Myanmar and Irian Jaya, the Government claims paramount ownership of natural resources, and the right to dispose of resources without local consultation or consent. Cameroon and the Philippines permit individuals to obtain legal title to land through exclusive cultivation or use, but have no provisions for collective ownership or shared use of lands and forests. In the case of Siberia, the collapse of the former Soviet regime has left a legal vacuum in which State and local authorities assert conflicting claims to land. In each of these situations, TNCs enjoy an advantage over indigenous peoples in obtaining secure legal title from Governments.

11. In the Cameroon and Siberian cases, indigenous peoples' lack of legally enforceable land rights is aggravated by Governments' lack of adequate institutional capacity to monitor and supervise TNCs' activities. Even where protective measures have been taken, such as setting aside forest preserves, unlawful actions of TNCs go undetected or unpunished. This problem also characterizes some countries in Latin America, such as Colombia, Ecuador and Peru, where indigenous peoples' rights are recognized in principle, but poorly enforced in practice because the Government has limited control over much of the countryside.

12. As shown by the Myanmar case-study, TNCs often help support a regime that repays them with concessions of indigenous peoples' territories. This can result in a further cycle of exploitation and violence, in which the Government's efforts to suppress dissent lead to greater resistance, an increasing need for hard currency to pay for military operations, and satisfying that need through more extensive disposals of lands and resources to TNCs. By cooperating with such regimes in the liquidation of natural resources, TNCs support them. In cases such as Myanmar and Irian Jaya, TNCs have employed members of the politically dominant group instead of indigenous peoples, and have consolidated their power.

13. TNC sometimes further their interests by coopting local people and dividing communities. In the Philippines case-study, Benguet Corporation selectively offered employment and small-scale mining rights to members of the Itogon community, resulting in the emergence of pro- and anti-Benguet factions. There were similar complaints of co-optation in the Point Hope (Alaska), Arctic Wildlife Refuge and Blackfeet case-studies discussed in previous CTC reports. The existence of strong, well-established consensus-based decision-making institutions within an indigenous community is thus a significant factor to determine the conditions under which TNCs carry out their activities. Any internal divisions or lack of accountability on the part of local leaders are sometimes exploited by TNCs which have the economic means to create new leaders and new political groupings.

14. The Philippines case study also shows how TNC activities can create a vicious circle in which erosion, water contamination and deforestation undermine traditional forms of subsistence, such as fishing and agriculture, gradually forcing increasing numbers of indigenous people to seek employment with the same TNCs which are destroying their way of life. This process may

also soon evolve in Irian Jaya, if Freeport meets its stated commitments to employ more local people in its mining operations. In this way, Governments' failure to respect the land rights of indigenous peoples can lead to a situation in which the people are forced to support themselves by joining in the destruction of their own territories.

15. Without justifying Governments' failure to respect the rights of indigenous and tribal peoples, the Cameroon case-study shows the extent to which structural adjustment programmes imposed by the IMF and other international financial institutions can add to States' incentives to over-harvest forests and other natural resources. Faced by mounting pressures to reduce public spending, earn more hard currency and meet their debt-service obligations, countries throughout Africa and much of Asia feel they have no alternative but to sell off their timber and minerals. This, too, becomes a vicious circle, because the export earnings of raw materials are neither sufficient or necessarily reinvested in industrial development. This condemns the country to continue its dependence on the export of raw materials and thus, necessarily, on further displacing indigenous and tribal peoples. A similar process has been developing in Siberia, where restructuring and economic stagnation of Russia is encouraging the sale of natural resources - not to produce investment capital, but simply to meet current obligations.

16. While the exploitation of indigenous peoples' lands in the Americas is dominated by TNCs with United States, European, and Japanese parents, there are a significant number of South-East Asian TNCs operating on indigenous peoples' lands in Asia and in some parts of Africa. They include firms with South Korean, Chinese, Thai, Philippine, Malaysian, and Indonesian parentage. With respect to the issues considered by CTC in these reports, the conduct of South-East Asian TNCs resulted in more negative socio-cultural impacts than that of TNCs headquartered in the North because the conduct of these TNCS is more likely to be scrutinized by their shareholders and the media.

III. SUMMARY OF CONCLUSIONS FROM THE FOUR REPORTS

17. The annexed case-studies from Asia and Africa confirm patterns already evident in the previous case-studies from the Americas. On the whole, however, indigenous peoples in Asia and Africa appear to suffer from even less recognition or effective protection of their legal status or land rights, with the result of more severe adverse impacts of TNC activities. In many parts of Asia this situation is aggravated by the militarization of indigenous areas, and resulting armed conflicts. There have been instances in which TNC activities arguably triggered resistance, leading to a cycle of violence, the displacement of indigenous peoples, and colonization by TNCs. In Russia and the NIS, the transition from State to private ownership could bypass indigenous peoples, leaving them in a legal vacuum highly vulnerable to unwanted TNC projects. State ownership of their lands and resources has not ended, but the new political system has created multiple claims to resources at the national, regional and village levels. The stalled economies of these countries make it tempting for their new Governments to seek out TNCs to exploit natural resources for hard currency.

18. A major threat to the survival and sustainable development of indigenous peoples in all regions is private sector activity, over which most indigenous peoples still exercise little influence or control. The recent collapse of

the former Soviet Union, transition to market-oriented economies in many formerly socialist countries, and democratization and decentralization of many Governments in Africa and Latin America have reduced the role of State enterprises in the extractive sectors, such as mining and logging, which tend to have devastating impacts on indigenous peoples' territories. At the same time, many countries responded to the global recession by encouraging greater extraction of minerals and timber by TNCs to earn foreign exchange for imports and debt service. Moreover, few Governments enacted legislation to protect indigenous peoples' land rights.

19. The combination of privatization and intense development in these sectors will continue to increase the role of TNCs, particularly in mining, pulp and paper processing, and energy production, where the capital requirements are high and exceed the means of most domestic firms. Smaller-scale domestic firms and individuals will continue to play a large role in logging and pioneer agriculture, although they may depend on TNCs for supplies (equipment, seeds, chemicals) and markets.

20. In the cases examined during the course of this report, TNCs' performance was chiefly determined by the quantity and quality of indigenous peoples' participation in decision-making, rather than by the identity or nationality of the TNCs. Participation depended, in turn, on the extent to which the laws of the host country gave indigenous peoples the right to withhold consent to development, and on the degree to which indigenous communities themselves were fully informed, and effectively organized for collective action.

21. The adverse social and environmental impacts of TNC projects, as perceived by the indigenous peoples who are affected, tend to be markedly lower in cases where there was a high degree of indigenous participation in planning and management, and in sharing benefits. The same TNC was viewed more favourably by indigenous peoples with whom it worked in partnership, than by those who had been unable to participate in decision-making. Even in those cases where there had undoubtedly been some adverse impacts, those indigenous peoples who had been involved in decision-making were usually confident that the impacts had been mitigated as a result of their participation.

22. TNCs find it easier to involve indigenous peoples in decision-making when indigenous peoples' rights to their lands are secure. The same TNC that involves local leaders and organizations routinely in planning and management in countries which protect land rights, ignores the concerns of indigenous peoples in countries where land rights have not yet been recognized or respected. Land rights are a necessary precondition for effective participation. Secure land rights are not sufficient, however. Indigenous peoples must have the capacity to obtain and assess all relevant information about the structure and past performance of the TNC, about the industry, and about the particular project. They must also have the means of developing an internal consensus regarding the impacts and benefits of proposed projects, and of expressing their concerns during negotiations with TNCs.

23. Democratization and privatization should, in principle, be supportive of greater freedom and economic security for indigenous peoples. In practice, however, indigenous peoples in most of the countries concerned tend to lack

the information, experience, and institutional capacity to negotiate effectively with TNCs and other private sector actors. This is particularly clear in Latin America, where newly democratic regimes are beginning to accede to indigenous peoples' demands for demarcation and legal recognition of their lands. The transfer of legal ownership frequently means that indigenous communities must defend their interests through negotiations with TNCs, rather than negotiations with Governments. Their capacity for this new relationship is generally limited, and the need to address this gap is urgent. Indeed, if indigenous communities are forced to negotiate before they have adequate capacity, the result will be frustration, suspiciousness, and isolationism that will stand in the way of future development efforts. This can be seen in the aftermath of the conflict over petroleum exploration in the Ecuadoran Amazon.

24. Although the scope of this study was limited to "lands", these conclusions should apply equally to TNC activities in other fields, such as tourism and biotechnology. Commercial interest in genetic diversity and the discovery of new medicines is growing rapidly and is focused on tropical rainforests chiefly inhabited by indigenous peoples. As observed in the report of the Sub-Commission's Special Rapporteur on the cultural and intellectual property of indigenous peoples, Erica-Irene Daes points out that no country has legislation to protect indigenous peoples from these activities, but in the United States, where indigenous peoples enjoy a degree of local autonomy, communities have taken steps to control access to their territories and to impose contractual conditions on researchers, including agreements to conduct cooperative research. The Daes study therefore reinforces the conclusions of this study, that land rights, the right to withhold consent, and local capacity are the key factors determining TNC performance and the impacts on indigenous peoples.

25. The possibilities for mutually beneficial partnerships between indigenous peoples and socially responsible private enterprises are being lost in most countries because TNCs lack clear encouragement to negotiate partnership arrangements, although there are exceptions such as Amoco in Siberia. This encouragement can take various forms, including vigorous State enforcement of land rights against companies that trespass or cause ecological harm; national and international concessional support for enterprises that respect and work in partnership with indigenous peoples; and investment in indigenous peoples' capacity to manage resources, evaluate project proposals, and negotiate agreements.

26. With respect to capacity-building, sufficient experience with TNCs already exists among the indigenous peoples in countries such as the United States, Canada, New Zealand and Panama, to help accelerate the process of capacity-building in other countries through the sharing of information and expertise. International organizations can play a valuable facilitating role in this process. TNCs themselves can benefit from playing a supportive technical and financial role in indigenous capacity-building networks. TNCs may find that strong, self-confident and well-informed indigenous institutions are easier to negotiate with, than weak, suspicious and ill-informed groups.

IV. UPDATE ON RELATED UNITED NATIONS ACTIVITIES

27. Since the submission of the last CTC report, a number of United Nations reports and decisions have agreed upon the need to involve indigenous peoples in operational activities as direct beneficiaries, partners in decision-making, and contributors of expertise.

28. Chapter 26 of Agenda 21, adopted by the United Nations Conference on Environment and Development (UNCED) in June 1992 at Rio de Janeiro, is devoted to "recognizing and strengthening the role of indigenous people and their communities" in achieving sustainable development. Paragraph 26.5 recommends that United Nations organizations and international institutions, "drawing on the active participation of indigenous people", provide technical and financial assistance for capacity-building in the fields of resource management, research, and self-development. For this purpose, it further recommends that the United Nations system "organize annual interorganizational coordination meetings with Governments and indigenous organizations, as appropriate, and develop a procedure within and between operational agencies for assisting Governments in ensuring the coherent and coordinated incorporation of the views of indigenous people in the design and implementation of policies and programmes.".

29. In its decision 1992/255 of 20 July 1992, the Economic and Social Council requested United Nations bodies and specialized agencies "to ensure that all technical assistance financed or provided by them is compatible with international instruments and standards applicable to indigenous peoples", and encouraged "efforts to promote coordination among organizations of the United Nations system and greater participation of indigenous peoples in the planning and implementation of projects affecting them.".

30. In its resolution 47/75 of 14 December 1992, commemorating the launch of the International Year of the World's Indigenous People, the General Assembly stressed the need to "take fully into account the development needs of indigenous people and the need for making full use of the contributions which indigenous communities can bring to sustainable national development.". In this context, the General Assembly further noted "that there is a continuing need to improve the availability and the means of dissemination of socio-economic data relating to the development needs of indigenous people", and for enhancing the coordination of data-collection in this field.

31. On 11 December 1992, in connection with the official launch of the International Year of the World's Indigenous People, the ILO Liaison Office with the United Nations, the United Nations Centre for Human Rights, and the NGO Committee on the International Year co-sponsored an informal consultation between indigenous peoples and international development agencies and institutions including CTC, UNDP, UNICEF, UNIFEM, UNESCO, FAO, the World Bank, and the Inter-American Development Bank. Participants concluded that there was an urgent need to improve indigenous peoples' knowledge about the programmes and working methods of international agencies, and for the agencies to obtain more information, particularly socio-economic data, on the actual situation of indigenous peoples from the peoples themselves. They stressed the need "to continue and expand" the CTC database for this purpose.

32. At its first substantive session in June 1993, the United Nations Commission on Sustainable Development expressed support for the convening of annual inter-agency meetings with "major groups" where specifically provided for in Agenda 21, as in the case of indigenous peoples. No unit of the United Nations has yet been assigned responsibility for the task of coordinating such meetings or maintaining, expanding or disseminating socio-economic data.

33. At a number of recent United Nations meetings, including the first session of the Commission on Sustainable Development, indigenous peoples have stressed the importance of utilizing their own expertise in capacity-building and technology-sharing projects. For this to succeed, however, it will be critical to ensure that multilateral, bilateral, and non-governmental donors themselves have the ability to identify appropriate indigenous organizations and communities as sources and beneficiaries of expertise.

34. It will also be important to enlist the participation and support of TNCs in capacity-building and technology transfer for indigenous peoples. In this respect, relationships which already have been built between indigenous peoples and responsible TNCs in some countries can be the starting-point for advocacy to the wider business and corporate community.

V. FUTURE UNITED NATIONS INFORMATION NEEDS

35. If these initiatives are to continue, and provide indigenous peoples with high-quality assistance, development programmes and specialized agencies will need the following kinds of information:

(a) Basic statistics on the distribution and socio-economic conditions of indigenous peoples in all regions, as a means of monitoring progress and identifying priorities for assistance;

(b) Information on indigenous peoples' organizations in all beneficiary countries, so that they can be contacted and involved in programme and project decisions in accordance with Agenda 21 and ECOSOC decision 1992/255. This should include addresses, telephone and telefax numbers, organization structure and capacities, and the specific groups and communities represented;

(c) Information on indigenous organizations and individuals who possess the necessary expertise and are available for training and information exchange projects. This should include summaries of their specific experiences and work in connection with TNCs so that they can be matched with the needs of other communities.

36. CTC has concentrated its research efforts thus far on tasks (a) and (b). In the course of the study, however, CTC staff have also compiled a preliminary inventory of experts from cooperating indigenous organizations in the Americas and Asia, which may be of immediate use to United Nations operational agencies.

37. There are considerable regional disparities in the quality and completeness of the database. This is largely due to wide regional differences in the legal status, financial resources and capacities of indigenous organizations. It also reflects large differences in the capacities of Governments, as well as the degree to which they recognize, and

take an interest in indigenous organizations. While there is relatively complete information on North America, probably fewer than half of relevant Latin American organizations and groups have been identified, and smaller percentages in Asia and Africa.

38. These disparities can be attributed both to the actual numbers of organizations in each region, and to problems CTC experienced in obtaining reliable information on such organizations as may exist. Persistent problems included:

(a) Communication problems. Routine telephone and telefax contact was possible with most organizations in North America, for example, while few Latin American, Asian, or African organizations had the necessary equipment. Questionnaires distributed by mail in English and Spanish had a low (less than 1 per cent) response rate, even in North America, and are not an appropriate or efficient data-gathering tool for indigenous peoples, most of whom do not speak any of the official United Nations languages;

(b) Organizations change their structures, names, addresses, and telephone numbers frequently, particularly in countries where organizing for legal advocacy is a recent phenomenon, or is still regarded with suspicion by Governments. Lack of reliable funding is responsible for rapid organizational turnover in all countries. Where CTC was able to identify relevant organizations from records of indigenous peoples' previous contacts with other United Nations bodies, many of these organizations had already relocated or disappeared;

(c) Lack of capacity to provide the data requested. A large proportion of indigenous organizations contacted by CTC simply did not have the time and resources to compile the detailed demographic or geographical information. As noted in the two previous reports, many organizations expressed interest in obtaining United Nations technical and financial assistance in this field;

(d) Concerns about responding to the CTC survey. Some of the indigenous organizations CTC contacted by telephone had questions about the purposes of the study and its usefulness to them, or were suspicious as a result of prior adverse experiences with academic researchers. After a personal contact, most of them cooperated in the study, but CTC had very limited staff to follow up personally on all unanswered questionnaires.

39. As a general matter, CTC lacked adequate staff to make direct personal contacts with most indigenous peoples and organizations, to follow up on unanswered or incomplete questionnaires, or update the existing network and database annually.

VI. RECOMMENDATIONS FOR ACTION

40. Since this study began, a number of United Nations operational bodies, specialized agencies and international financial institutions have shown an interest in devising programmes for technical assistance and capacity-building for indigenous peoples, including land rights and resource management, along the lines proposed in CTC's 1991 and 1992 reports. What is needed for these initiatives to succeed is a reliable source of information on which these and other bodies can depend to provide their assistance to appropriate indigenous

organizations, with the best available indigenous expertise where possible, and with a view to emerging priorities such as the NIS and Latin American countries where land title has recently been confirmed to indigenous peoples.

41. This need can best be met by a central United Nations unit mandated to maintain an electronic indigenous network capable of providing United Nations operational bodies and agencies, as well as other international institutions, with current, accurate data on indigenous peoples and their organizations worldwide, with details on their needs as beneficiaries, and capacities as contributors of expertise to projects.

42. Such a central unit could also provide technical assistance to all other United Nations bodies and specialized agencies on meeting their obligations, under Agenda 21 and ECOSOC decision 1992/255, to develop consultative mechanisms at the programme and project levels with indigenous peoples.

43. In addition, a central information and networking unit would be able to provide input and reports to the World Social Summit, as well as other future United Nations social surveys and studies, to ensure that the needs and realities of indigenous peoples are fully reflected in future United Nations policies and programmes.

44. To function effectively, this unit would require resources and professional staff to:

(a) Maintain routine telephone, telefax, and electronic mail contact with indigenous organizations worldwide;

(b) Send representatives to the major national, regional, and international meetings of indigenous peoples to collect and correct information on organizations;

(c) Participate in United Nations conferences and inter-agency coordination meetings, to maintain a relationship with other policy and operational bodies that deal with indigenous peoples; and

(d) Undertake field research in order to document and verify indigenous issues and conditions.

45. The proposed unit could be combined with, or form the nucleus of a United Nations liaison office for indigenous peoples, with the broad mandate of facilitating indigenous peoples' access to United Nations offices, programmes, and conferences, and of facilitating an ongoing exchange of information between the United Nations and indigenous peoples, organizations and communities.

46. Consistent with the theme and objectives of the International Year of the World's Indigenous People, every effort should be made to staff this unit with qualified indigenous professionals.

47. In view of these proposed functions, the Working Group may wish to consider whether to recommend that this work continue with CTC/UNCTAD, or be transferred to another appropriate United Nations system unit in New York.

Annex

CASE STUDIES

1. The people of the forest, Cameroon

1. The Baka and Bakola are semi-nomadic hunter-gatherers who live in the dense tropical rainforests found in the south of Cameroon. The total population of Cameroon is 12 million (1991), comprised of over 200 separate ethnic groups. The Baka, who live in the South and East Provinces, are estimated to number around 20,000-35,000. The number of Bakola, who live in the south-western forests of the South Province, is estimated to be around 6,500 (World Resources Institute, 1990).

2. Baka and Bakola peoples are among the indigenous groups included in the generic term "pygmies". The word "pygmy" is considered pejorative by the peoples to whom it refers; they refer to themselves by their individual tribal names, and have no inclusive term. Like other peoples characterized as "pygmies", the Baka and Bakola live in the forested regions of central Africa, and live as hunter-gatherers for some part of the year (Cleaver and others, 1992, p. 204). The total "pygmy" population in central Africa is estimated at 200,000 (IWGIA, 1990, p. 161).

3. Of the 17.5 million hectares of forests in Cameroon, around half have been used for commercial logging. The inland forests in the south-east are being opened for commercial exploitation. Only 30 of the 300 species of marketable trees found in Cameroon's forests are currently harvested (Economic Intelligence Unit, 1992, p. 21). The forests which are the basis of the Baka's and Bakola's traditional subsistence and spiritual practices are the areas into which the timber industry, controlled by European companies, is expanding. The International Union for the Conservation of Nature (IUCN) estimated that the 1991 rate of deforestation in Cameroon was 10-11 times higher than the rate of regeneration.

4. The Baka and Bakola are considered to be the first inhabitants of the rainforest areas, living there before Bantu farmers began to colonize equatorial Africa around 1000 B.C. Most Baka and Bakola practice a mixed economy of hunting and gathering, some horticulture, trade with agriculturalists, and sporadic wage labour. They settle near farming villages for part of each year, but during the rainy season they rely on the forests' resources. For generations, Baka have engaged in trade with sedentary Bantu farmers, exchanging bush meat, honey and medicinal plants for cultivated foods and manufactured goods. These neighbouring relationships also extend beyond economic trade to include all aspects of political, religious and social life (Cleaver and others, 1992, p. 205). Clans of "pygmies" often have ties to Bantu farmers which extend across generations, and involve a symbiotic exchange of resources and mutually agreed-upon land use rights.

5. Baka and Bakola peoples' use of forest products is based on extensive knowledge of forest resources. Their knowledge of medicinal and edible plants, and their ability to hunt for forest game, has ensured their survival, and has benefited neighbouring groups. The meat provided to agricultural peoples through barter is an important source of their dietary protein. The Baka and Bakola have an established role as healers, in areas where access to

medical care is limited. Recently, Western pharmaceutical companies investigating traditional forest medicines identified 90 natural chemical substances, almost half of which were previously unknown to Western scientists (Africa Report, 1990, p. 8).

6. Baka and Bakola social, economic, cultural and spiritual practices are tied to their traditional forest lands. The dense forests of Cameroon cover approximately half of the country's surface area. Forests of Cameroon are highly biodiverse. They support as many as 3,000 species of rare plants, thousands of fish, bird and reptile species, and one quarter of all the world's primate species. According to a World Bank study, Cameroon is among the six African countries with the greatest wealth of species (Africa Report, 1990, p.8).

7. The productive forest of Cameroon is divided by law into three categories: (i) national forest, which covers 4 million hectares, or 9 per cent of the country's total area, allocated 65 per cent to national parks and reserves and 35 per cent to forestry production; (ii) community forests, which are less than 2 per cent of national area; and (iii) remaining forest lands, designated Forêt du domaine national, or public domain, which can be disposed of by the State (Grut and others, 1991, p. 57). The areas allocated as national parks and reserves, with the objective of conservation, are closed to all human use or habitation, which prevents the Baka and Bakola from carrying out their traditional forest activities. The exclusion of indigenous peoples from wildlife and nature preserves is common in Africa, and has caused displacement of original inhabitants who for generations have used the land in a sustainable manner, without depletion of animal or plant populations.

8. Although the Baka and Bakola are widely accepted to be the original occupants and users of the rainforest, they have no legally recognized rights of ownership or use of their traditional lands. The Government grants citizens title to land when there is evidence of "actual occupation", which is defined as land that has been cleared for cultivation. Because the Baka and Bakola peoples' use of forest land does not involve felling trees, their land tenure rights are not recognized (Horta, 1991). The government policy reflects the view that clearing land, for agriculture or timber extraction, is more productive, and less "backward", than subsistence hunting and gathering.

9. Some scholars contend that few, if any, unoccupied lands exist in central Africa, and urge that plans for development or protection of forests should assume that people depend on all of these forested lands for subsistence. They point out that existing biodiversity is the result of "chronic manipulation" of the rainforest by forest peoples for thousands of years, and argue that human occupation does not contradict preservation efforts (Cleaver and others, 1992, p. 208). However, the State asserts the right to sell concessions to companies or otherwise designate the use to which forest lands will be put. The Baka and Bakola can be dispossessed of their traditional lands without compensation, and without consultations regarding the plans for the forest land on which they depend for subsistence.

10. Cameroon's sixth five-year plan (1986-1991) promoted the expansion of commercial logging activity. Coffee and cocoa are Cameroon's highest-earning export crops, and petroleum contributes 60 per cent of foreign exchange

earnings (Economist Intelligence Unit, 1992). Since the price of each of these commodities has fallen in recent years, diversification of export products will contribute to the country's economic stability. A new investment code was enacted in 1990, encouraging foreign direct investment through tax incentives, creation of a free industrial zone, guarantees of investment, and facilitation of licensing processes. Simultaneously, an economic restructuring plan supported by the World Bank, IMF and African Development Bank has been adopted, which requires State-owned enterprises to be privatized and price controls lifted (Hawkins, 1991, p. 14). Foreign direct investment inflows in 1987 totalled 627,610 CFA francs, a sizeable increase over the 10,869.8 CFA francs of 10 years earlier (UNCTC, 1993, p. 28).

11. The process of granting concessions for logging begins with publication by the forestry administration of a list of new areas opened for logging. Interested companies submit applications which are reviewed by a government technical committee. When an application has been accepted, a meeting is called with the affected local community to generate a report on their conditions and wishes, and to set the amount of timber taxes the local community will receive. This system of returning taxes to the community replaces an earlier system which required concessionaires to provide schools, dispensaries and roads in the areas they logged (Grut and others, 1991, p. 57). However, non-governmental organizations and World Bank observers have found that the Baka and Bakola have not been involved in the local community consultation process, and have not received tax benefits. The omission of Baka and Bakola people's concerns from the discussion of forest development appears to result from a low valuation of their expertise in forest management techniques, and failure to recognize their uses of the forest as a basis for making legal claims (World Resources Institute, 1990, p. 13).

12. Foreign capital has financed 80 per cent of the timber and wood processing industry; of this foreign capital 39 per cent is French. In 1980, moreover, only 0.2 per cent of domestic investment in the industry was private. The five-year development plans, which were initiated at independence in 1960, show that domestic savings in each period have been less than projected investments (Ndongko, p. 160). This is indicative of the country's reliance on foreign direct investment and public foreign loans and grants to foster development.

13. The forestry sector is the third largest source of foreign earnings and contributes 8 per cent of total exports and 2 per cent of GDP (Cleaver and others, 1992, p. 36). Part of the current structural adjustment programme calls for development of the forestry sector. Production of logs increased from 1.97 million cubic metres in 1987/88 to 2.12 million cubic metres in 1988/89. The value of wood exports was 49 billion CFA francs in 1989. The current net reduction in forest area is approximately 100,000 hectares per year (Cartwright, 1991, p. 361).

14. Of the 150 licensed logging enterprises, 23 are Cameroonian (Africa Report, 1990, p. 8). French transnational corporations have been active in timber extraction since colonial times, and are major exporters of raw logs from Cameroon. Société Industrielle et Forestière Cameroun (SIFCA) is held 99 per cent by GTM Entrepose, which is owned by the French giant Lyonnaise des Eaux Doumez. La Société Forestière et Industrielle Doume (SFID) is

54.63 per cent owned by the French family enterprise, Rougier SA. German, Dutch and Italian companies are also engaged in timber exports. In 1992, the defunct parastatal pulp and paper factory, La Cellulose du Cameroun (Cellucam), was purchased from liquidators by the Indonesian transnational, Gudang Garam. A forestry concession was included in the sale. The Indonesian company's subsidiary, Cameroon Pulp and Paper Company (CPPC), will conduct all operations from logging through export of the finished product (Economist Intelligence Unit, 1992, 21).

15. A Tropical Forestry Action Plan (TFAP) for Cameroon was undertaken in 1986 by the Food and Agriculture Organization of the United Nations (FAO) and the United Nations Development Programme (UNDP). The TFAP proposes a timber export strategy which would involve building 600 kilometres of roads, opening 14 million hectares of forests in the south-east, and building a deep-water port. The TFAP was compiled without consultation of affected indigenous communities and without undertaking a demographic study. There is no mention of indigenous forest-dwellers in the TFAP. Foreign multilateral and bilateral assistance has been sought to fund the TFAP.

16. Non-governmental agencies have criticized bilateral and multilateral agencies engaged in development assistance for Cameroon's forestry sector, for failing to take into consideration the impact of expanded logging on the forest-dwelling peoples. Some NGOs feel that there is not adequate regulation to ensure that timber industry operations respect standards of environmental sustainability and human rights of local communities. Acceptable standards of indigenous participation have been pointed out as completely lacking in development planning activities carried out so far. There has also been criticism of the lack of demographic information, including population, concentration and economic status, of those who live within and adjacent to the forest.

17. Following non-governmental organizations' criticism of the TFAP, the World Bank in 1991 proposed a $25 million grant to the Government of Cameroon from the Global Environmental Facility (GEF), to protect biodiversity. Also in 1991, the World Bank's board of directors approved a new forest policy, which includes the requirements that borrowers "set aside adequate compensatory preservation forests to maintain biodiversity and safeguard the interests of forest dwellers in terms of access rights to designated forest areas". (Cleaver and others, 1992, p. 20.)

18. A spokesman for the Forestry Department of Cameroon has indicated that due to fiscal constraints, a regeneration programme has not been able to compensate for the logging carried out in the forests of the public domain, and that without sufficient monitoring resources, much logging is unsupervised (Cleaver and others, 1992, p. 36). The pricing and collection of forest fees are described by experts as ineffective in providing economic incentives for sustainable forest management.

19. Logging activity and the construction of access roads open land to new agricultural development. In Cameroon the Baka and Bakola peoples are being displaced by three forces: the creation of national park reserves from which they are barred; by commercial logging activity; and the conversion of newly cleared forest to agricultural uses, which prevents regeneration of the forest. Included in Cameroon's sixth five-year plan is a long-term strategy

for the socio-economic integration of Baka and Bakola peoples into sedentary, agricultural Bantu villages. Mobility is central to the way of life of Baka and Bakola, however, and access to the rainforest is fundamental to their ethnic identity. It is the opinion of many anthropologists, including those at the World Bank, that programmes aimed at sedentarization of nomadic and semi-nomadic tribal peoples have failed to accomplish either protection or development activities, and have led to impoverishment of the peoples (Cleaver and others, 1992, p. 219).

20. The World Bank's five-year implementation review of its own 1982 Indigenous People's Operational Directive showed that in general, borrower countries are more willing to provide social and developmental services, and less willing to demarcate and protect tribal lands, or to include forums for the participation of tribal peoples in Bank-financed projects (Cleaver and others, 1992, p. 219).

21. Without recognition of their legal rights to their ancestral lands, and without participation in development planning, indigenous peoples of central Africa are likely to face increasing difficulty maintaining their traditional relationship to the forest. If their physical survival requires assimilation into sedentary communities, they risk the loss of their cultural identity. The degree and pace of integration into the national society is not at present a matter for individual and community self-determination, but of external circumstances which are forcing the Baka and Bakola to change. Development of commercial logging and agricultural conversion proceeding at the present rate does not appear to be either environmentally sustainable or compatible with the human rights of the Baka and Bakola peoples.

2. Nenets, a new frontier for TNCs, Siberia

22. There are 26 distinct indigenous peoples who have lived in Siberia for thousands of years, and continue their traditional subsistence activities to varying degrees (see map 2). The peoples of Siberia were collectively named "Northern Minorities" in 1925, by the Central Executive Committee. The climate of the Northern Minorities' lands is harsh, with a growing season too short for agriculture, but the region is rich in timber, mineral and energy resources. More than three fourths of the territory is in the tundra zone, with forest-tundra areas in the south and taiga subzones in the north (Vakhtin, 1992, p. 5).

23. The Nenets, or Nentsi, one of the largest of the Northern Minorities groups, have a population of 34,665 according to the 1989 census (IWGIA, 1990, p. 13). The Nenets' traditional social structure is based on nomadic clans, whose subsistence activities are reindeer herding, hunting, and fishing. For decades, the Nenets' traditional way of life has been threatened by the influx of new settlers from other regions, and by the environmental degradation that has accompanied rapid industrial development. The Yamal Peninsula, the traditional home of the Yamal-Nenets of the Tyumen Region, has sizable oil and gas reserves, which remain untapped. However, with perestroika, transnational corporations such as Amoco are negotiating with Russian officials to explore and develop Yamal. Given the dismal environmental record of oil and gas development in other areas in western Siberia, the extraction and transport of

oil and gas in the Yamal could have detrimental effects on the Nenets, unless recognition of their land rights and protection of their traditional territories' natural environment are ensured.

24. The former Soviet Government took various approaches to the Northern Minorities at different times, but the conflict between their rights and the need to develop the natural resources of their lands remained a problem. In 1924, the Committee of the North was formed, with a mandate to reserve the territories necessary for the life, cultural and economic development of each group; to prevent their exploitation; and to set up administrative systems. A system of Tribal Soviets was devised as a compromise between two factions on the Committee, one which favoured protection of indigenous cultures and the other determined to promote industrial development at any cost. By 1929 the former faction lost their influence, and the Committee concentrated exclusively on economic problems. The Tribal Soviets provided for local representation on administrative bodies, but proved confusing and ineffective (Vakhtin, 1992, p. 12) largely because tribal groups were nomadic, travelling throughout the region with their deer. In addition, different minorities often lived together in one village. In many areas the Tribal Soviets existed in name only. In 1935 the Committee of the North was abolished.

25. The massive industrialization programme initiated in the 1930s transferred power away from local administrations and the Committee of the North, to centralized industrial ministries. The process of collectivization of farms and reindeer herds was unsuccessfully opposed by the Northern Minorities and their supporters. Stalin's collectivization campaign involved relocation of peasants in Siberia, and was carried out without consultation of local administrations. Differential treatment of indigenous workers was enacted into law in 1932, creating a two-category payment system under which indigenous peoples were paid lower wages for the same work (Vakhtin, 1992, p. 10). Because of educational disadvantages, the indigenous workers were concentrated in low-skilled jobs (Vakhtin, 1992, p. 16). The influx of newcomers and the establishment of new settlements on Nenets' lands caused social and economic pressures on their way of life.

26. From the 1940s through the 1980s, the former Soviet Government pursued policies which made the Nenets' traditional way of life increasingly difficult to maintain. As herding clans were collectivized, and the nomadic way of life prohibited, many Nenets people were forced to transfer their productive activities to commercial fishing, fish-processing and canning, fur and mineral extraction. State reindeer farms and fishing farms heavily exploited these natural resources, thus depriving the indigenous peoples of their traditional food. Soviet education policy required that the children of Siberia's indigenous peoples attend boarding schools distant from their homes, removing them from the language, culture and traditions of their parents (Vakhtin, 1992, p. 17). In 1957, a resolution calling for the improvement and simplification of administrative and economic structures was implemented in Siberia, consolidating smaller villages into larger villages, and forcing nomadic peoples to settle. Settlement and relocation were generally carried out with little planning or preparation, often resulting in substandard living conditions, unemployment, loss of traditional subsistence activities, social decay, alcoholism and suicide (Vakhtin, 1992, p. 19).

27. The immense Samotlor oil field was discovered in 1965 and put into production in 1969; by 1980 it yielded 25 per cent of total Soviet oil production and 50 per cent of west Siberia's. During the 1970s, the Soviet Union developed the supergiant Urengoy gas field in western Siberia. The USSR negotiated a major venture with foreign investors for a pipeline which originated at the Urengoy gas field and extended 4,451 kilometres to the Czech border. Western Siberia produced 60 per cent of Soviet oil and 50 per cent of its natural gas in 1990. Explored natural gas deposits in western Siberia are concentrated further north in the Arctic regions. Gas reserves discovered on the Yamal Peninsula to date are estimated to be 16.6 trillion cubic metres, approximately one third of the reserves in the entire Commonwealth of Independent States, but these are untapped at present (Oil & Gas Journal, 1993, p. 18).

Table 1

Some major oil and gas operations in western Siberia

Company and country	Activity
Amoco, USA	negotiating agreement w/Gazprom for development of oil and gas fields
Bitach, Canada	preliminary work on oil and gas development w/Gazprom
Eurosov Petroleum Ltd., England	production to begin from Yuzhnoye oil field 30:70 Joint Venture Sinco w/Gazprom
Fracmaster, Canada	25-year contract for large-scale oil stimulation w/Gazprom
Heerema, Netherlands	development of Baydaratskaya Bay Joint Venture Petergaz w/Gazprom
Occidental Petroleum Corp., USA	exporting oil 50:50 Joint Venture Vanyoganeft w/Gazprom
Poland	signed a letter of intent for gas pipeline w/Russian Federation Gazprom
Professional Geophysics, USA	gathering and packing seismic data for sales to foreign companies
Royal Dutch/Shell Netherlands/UK	has bought half of Francmaster's 49 per cent interest in their JV
Texaco, USA	agreement to restore production in Sutormin field joint venture Sutorminskneft w/Gazprom
Tracer Petroleum, Vancouver, B.C.	received final approval for venture
Wintershall, Germany	w/Gazprom completed feasibility study for gas pipeline, scheduled for 1994

28. In 1989, the Presidium of the Council of Ministers decided that development of the Yamal Peninsula should be suspended, because of the lack of information on the impact on local peoples and on the environment. However, the effected ministries were able to circumvent the decision and continue exploration of Yamal through 1990 (Vakhtin, 1992, p. 25). The gas pipelines to the south of the Yamal Peninsula, in the area of Nadym, were constructed without consideration of potential environmental damage, through Nenets' reindeer grazing grounds. The pipelines, roads, railways and company settlements caused deforestation and destruction of the tundra. Millions of acres of grazing ground were lost; one railway cuts off the reindeer's route between winter and summer grazing fields (Gumbel, 1988, p. 8).

29. With the breakup of the Soviet Union, the gas industry was privatized, under the joint stock company Gazprom, which is the sole developer and exporter of Russia's natural gas. Gazprom controls 53 trillion cubic metres of gas reserves, and has 140,000 miles of gas pipelines (Oil & Gas Journal, 1992, p. 18). Russia's energy exports accounted for 49 per cent of total exports in 1991 (Financial Times, 1993). Foreign investment in Russia's natural gas industry is expected to increase significantly, according to the United Nations Economic Commission for Europe (Financial Times, 1993).

30. Because of environmental concerns for Yamal's fragile tundra, plans to expand commercial exploitation of the peninsula's gas reserves have proceeded slowly thus far. The first gas field on the Yamal Peninsula scheduled for large-scale development is the supergiant Bovanenkovskoye, which is expected to produce up to 100 billion cubic metres per year (Oil & Gas Journal, 1992, p. 19). Gazprom has reached agreements with the German company Wintershall, and with the Polish Government, to construct a $10 billion pipeline from Yamal, through Poland, to Germany (Reuter Textline-Novecon, 1993). The project will seek financing from Western banks, and is expected to be completed by 2001. Petergaz, a joint venture between Gazprom and the Dutch company Heerema, plans to build pipelines across Baydaratskaya Bay in order to deliver gas from Yamal Peninsula fields to Russia, CIS members and western Europe. Completion is expected in 2005 (Reuter Textline-Lloyds List, 1992).

31. Amoco, an American TNC, is in the process of negotiating an agreement with Gazprom to develop oil and gas fields in the Yamal Peninsula, including construction of pipelines, roads, railways and airports. A company spokesperson indicates that Amoco is working with Russian environmental agencies and with representatives of Nenets organizations to assess the impact of the project. While Amoco admits that the impact on the indigenous people is likely to be substantial, it feels that much of it will benefit them. The main direct interference will be to the nomadic reindeer herders because some of the development area is traditional pasture. Based on experience in North America, Amoco believes such impacts will be manageable. Other people should benefit positively from improved infrastructure, royalty payments and land use rents to local administrators (Personal communication with H.R. Lewis, Amoco Eurasia, 1993).

3. The Mon, TNCs and armed conflict, Myanmar

32. In 1987, Burma was designated as a least developed country (LDC) by the United Nations. At the end of 1987, Burma had acquired foreign debts of

US$ 5.98 billion which required $238 million annually to service and amounted to 70 per cent of GNP. In addition, its foreign reserves were down to $12 million (Friedland, 1991, p. 56). With the military reorganization of the Government in 1988, new laws to promote foreign investment were enacted. This economic "open-door" policy increased Myanmar's foreign-exchange reserves to $550 million by 1990. However, Myanmar also had a record trade deficit of $570 million in that same year, and a 5 per cent GDP growth rate. Economic growth has been primarily linked to timber and construction (Friedland, 1991, p. 58).

33. TNCs involved in logging and oil exploration operate in the disputed Mon territory. Offshore oil exploration is being conducted on the continental shelf of the Gulf of Martaban, which lies within the traditional coastal fishing areas claimed by the Mon. The TNCs negotiate solely with the Government because natural resources are State-owned and State-controlled. Neither the Mon peoples nor other inhabitants of the contested region seem to have been consulted during negotiations for TNC projects. While the Government insists that it represents the interests of all citizens of Myanmar and that it exercises its legitimate authority when issuing licenses to TNCs, this contention is vehemently denied by the Mon. (New Mon State Party, 1985, pp. 12-13).

34. In 1989, the State-owned Myanmar Oil and Gas Enterprise (MOGE) entered into a production-sharing agreement with Yukong Co. of the Republic of Korea. Yukong Co. was the first foreign company to receive an onshore oil exploration concession since 1963 (Lintner, 1989, p. 120). According to a 1992 source, the major oil companies which presently hold concessions within disputed Mon territory include, onshore, Kirkland Resources (United Kingdom) and offshore, Texaco (United States), Premier Consolidated Oil Fields Ltd. (United Kingdom) and Nippon Oil (Japan). The traditional fishing grounds claimed by the Mon and other ethnic peoples make up part of the concession granted to Texaco by MOGE. Moreover, much of Texaco's concession areas, said to cover over 40,000 square kilometres, fall within the area claimed by the Mon independence movement (Kyin, 1993, p. 11).

35. According to one report, these transnational oil corporations have directly invested $400 million in Myanmar since 1989 (O'Rourke, 1992, p. 8). A second source reported that the Government had aggressively sought licensing commitments for oil exploration during the 1989-1990 period and several oil companies responded with significant work commitments ranging individually from $12 to $70. Allegedly, the "[s]ignature bonuses paid for the first nine onshore blocks came to $46 million, and the combined minimum work commitment for the three year exploration period was $363 million" (Khin and Johnston, 1992, p. 54).

36. According to the completed United Nations questionnaire, oil companies form the major legal source of financial support for the present Government (Kyin, 1993, p. 11). Representatives of human rights and environmental, non-governmental organizations allege that the hard currency provided from petroleum development has enabled the military regime to remain in power and continue committing human rights abuses against the indigenous peoples in Myanmar.

37. Myanmar has most of the world's remaining reserve of quality teak wood and is the world's principal supplier. At present, Myanmar has one of the highest rates of deforestation in the world. According to one source, the production of pre-milled teak was "provisionally estimated at 414,000 tons". Timber exports have accounted for 36 per cent of the country's 1989/90 export earnings, an amount which is expected to rise since there has been a three-fold increase since 1989 in logged areas (Economist Intelligence Unit, 1992, p. 52). Thai companies engaged in logging teak wood include, Chao Praya-Irrawaddy Co., Ltd., Patumthani Jankkarn Co., Ltd., Thip Tharn Thong Co., Ltd., Chokepana (2512) Co., Ltd., Forestry Industry Organization, N & N Co., Ltd., Salween Co., Ltd., Phaibul Pattana Co., Sridenchai Shuphanburi Co., Chumsin International Co., Ltd, P.M.T. Co., Ltd., and Chaithanasarn Co., Ltd. Several observers contend that the rapid increase in deforestation in Myanmar is the result of the Government's need for hard currency and Thailand's enormous demand for timber (Far Eastern Economic Review, 1992, p. 60).

38. According to one report, a 1990 study stated that several two- and three-year agreements had been reached whereby more than 1.2 million cubic metres of logs could be removed per year. If this rapid rate of deforestation continues, Myanmar's forests could be depleted within a decade (Far Eastern Economic Review, 1992, p. 60). The extensive clear-cutting method presently used, moreover, could result in flash floods, soil erosion and other long-term environmental damage as has already happened in Thailand where the Government was forced to ban domestic logging (The Ecologist, 1992, p. 73).

39. The Burmese taungya timber management system for growing teak seedlings has been used successfully for commercial purposes for 40 years. Based on intercropping seedlings with food crops, the logging system only targets mature teak trees and simultaneously protects against soil erosion. Although the taungya system is a well-respected sustainable means of forestry management, and is used throughout South-East Asia, foreign timber companies have used a clear-cutting method which logs the seedlings along with the mature trees.

40. The environmental impact of TNC activity in the Mon region includes rapid deforestation and contamination of water sources. As a result of environmental degradation and military activity, whole communities have been displaced, traditional family life and subsistence activities disrupted, and various health problems, including malnutrition, have increased.

41. According to many analysts, the principal effect of Myanmar's open-door foreign investment policy has been the mortgaging of the future of this resource-rich country for short-term financial gains. TNCs engaged in extractive industries do not conduct their activities in an environmentally sustainable manner. Foreign direct investment in logging and petroleum industries is causing rapid environmental degradation of lands claimed by the Mon people, who have been denied both the legal claim to their lands and participation in development planning.

4. Mining and the Itogon community, Philippines 1/

42. The Cordillera mountain region in Benguet Province of the Philippines is inhabited by indigenous peoples who are collectively called Igorots. Seven ethno-linguistic groups constitute the Igorots: the Kankanaey, Ibaloi, Tingguians, Ifugao, Kalinga, Isnegs and Apayo. The Kankanaey and Ibaloi live in the Itogon township, which has a total population of 62,000.

43. The Kankanaey and Ibaloi peoples' traditional social structure is based on communal rights to land use and shared benefits from exploitation of natural resources. They practise subsistence and cash crop agriculture, small-scale pocket mining and panning for gold, and wage labour in commercial mines. Orchards, pastures and swidden farms have furnished crops of upland rice, rootcrops, vegetables, coffee and fruit. Income-sharing practices (saqaok and makilinang) function as the communities' traditional social security, and serve to distribute economic gains.

44. Prior to the Aquino administration, indigenous peoples' land rights were not formally recognized, although there were legal precedents for protecting ancestral land claims. Current Government policy recognizes and promotes the rights of "indigenous cultural communities", including claims to ancestral land rights. However, the Constitution grants the State legal ownership over "waters, minerals, ... all forces of potential energy, fisheries, forests or timber, wild life, flora and fauna, and other natural resources". The State's claim to legal ownership over all natural resources complicates the status of indigenous peoples' land rights. In addition to the lack of clearly defined land rights, indigenous peoples rights to land use are inadequate. Indigenous peoples may obtain legal rights to land use through community and forestry codes and programmes which only provide leasehold arrangements for community holdings, limited to a 25-year term, renewable one time.

45. Miners are legally required to obtain permits, but because of the cumbersome application process many small-scale pocket miners have not done so. Small-scale mining permits are for two years, renewable one time. Mining claims filed during the United States colonial administration are still regarded as valid. These claims cover large areas of Benguet Province's mineral-rich zones; many have been abandoned and left idle. The Government has not reclassified the land. Residents of the Itogon community do not have legal tenure to the lands they have mined, farmed and developed. Philippine law favours large mine operators in cases where traditional landowners are not willing to relinquish their land.

46. Igorot customary law recognizes private ownership and inheritance of residential sites and some agricultural lands, but mineral lands are considered community property, open to use and occupation by anyone. At

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1/ Except as otherwise noted, information presented in this case-study is based on publications received from Mining Communities Development Center, Inc., and from the Cordillera Resource Center for Indigenous Peoples' Rights, Baguio City, Philippines. Sources: Questionnaire submitted by Mining Development Center, Inc., Special Report on the Antamok Gold Project, by Erlyn Ruth E. Alcantara and Lulu A. Gimenez; Beyond 13 Years: Facts About the Grand Antamok Project, by Task Force Against Open-Pit Mining.

first, the Igorots did not protest mining operations by outsiders because they did not understand that the newcomers would stake exclusive and permanent claim to the land.

47. Today, Benguet Corporation (BC), a Philippine- and United States-owned transnational corporation, operates mines in Benguet Province. Benguet Province produces 70 per cent of the country's total gold output, and 30 per cent of the country's total copper output. BC legally controls most of Itogon's mineral-rich areas through 60 patented claims, 20 leasehold claims and 26 leased claims, covering 1,644 hectares. BC is the largest primary gold producer in Asia, and the seventh largest worldwide. BC is the second largest exporter among the Philippine's top 1,000 corporations. BC's activities are diversified, including activity in lumber, trucking, banking, agribusiness and construction. Its products are a major source of foreign exchange. BC's reported net income in 1991 was P3.3 billion. In 1989 total foreign direct investment in the Philippines was P10.9 billion. Of that total, foreign direct investment in mining and quarrying was P245.8 million (UNCTC, 1992, pp. 219-220).

48. In Itogon, there are approximately 20,000 pocket miners who engage in underground mining, which entails digging tunnels at different levels below the land surface. Pocket miners use handheld hammers, pickaxes, spades, crowbars and carbide lamps. Exploring for, collecting and processing the ore involve the labour of the entire community in a four-month cycle. Until 1989, BC permitted small-scale mining and farming to continue on lands to which the corporation had secured legal title. When BC expanded its operations with the initiation of Benguet Antamok Gold Operation (BAGO) disputes over land and mineral rights between the Itogon community and BC emerged.

49. In contrast to the labour-intensive small-scale mining practised by the pocket miners, large-scale mining is capital intensive. BAGO is an expansion of existing open-pit mining activities, forming a network of existing and new mines. BC's mining in Benguet has largely depleted the high-grade ore deposits accessible through underground mining. To tap the shallow, low-grade ore deposits that abound in the Itogon area and which are as yet largely unexploited, open-pit mining is considered the most cost-effective method. Once in operation, open-pit mines are low-maintenance, highly mechanized and require only a small labour force.

50. BC's expanded operations are expected to produce annual gold revenues of as much as $34 million from mines which in 1989 produced only an estimated $14.25 million worth of gold. Before expanding its operations with BAGO, BC paid P65.69 million in annual income taxes in 1989. When BAGO is fully operational, BC projects an increase of P45.65 million in annual income tax and P27.86 million in royalties to the State. The open-pit mines collectively have a potential ore reserve of 14.1 million metric tons with an average grade of 3.0 grams of gold per metric ton.

51. Miners have been laid off and jobs have been terminated because of BC's increased mechanization of mining operations. The Itogon community reports that replacement jobs promised to them by BC have been filled with outsiders. Existing mining activities also are blamed for changes in the water table which have made irrigating farm lands difficult, and for hazardous wastes which diminish crop output. Farmers have been displaced from lands upon which

they depend for agricultural products, both for sale and consumption. Some pocket miners' tunnels have been blasted by company security guards. Small-scale miners have found that gold panning is no longer economically viable, and poses health risks from contact with contaminated water from BAGO's waste discharges into the Antamok River. Toxic by-products of the mining process have been blamed for health problems from skin rashes and breathing difficulties to miscarriages. Two young boys are believed to have died as a result of swimming in a tailings pond. Waste disposal has contaminated the river system, resulting in a decrease in access to potable water.

52. BAGO will necessitate stripping vegetation, levelling land forms and excavating large craters, from 200 to 350 feet deep, on surfaces spanning 10 to 50 hectares. Land area of the mines' pit surface will total 72.50 hectares; including sites used as waste dumps, tailings disposal system, access roads and processing mills, the operation will cover 1,623 hectares.

53. BC's Environmental Impact Statement identified the adverse environmental effects of BAGO to be water pollution, siltation, change of the Antamok River's water-flow and alteration of land forms. BC does not perceive the stripping of vegetation as a major environmental concern, but promises to compensate for damages "on a graduated price schedule for plants, fruit bearing trees, gardens, etc.". BC proposes a rehabilitation plan to mitigate these environmental effects, which involves converting the tailings dam into a water reservoir, restoring the flow of the Antamok River, backfilling mined-out pit areas, and reforestation.

54. The Itogon community protested BC's plans to develop open-pit mining operations as early as 1989. Their concerns focused on loss of employment, loss of land, and environmental degradation. More than 3,000 people from Itogon entered into a dialogue with the Department of Environment and Natural Resources (DENR). They first sought an environmental impact assessment. As small-scale miners were barred from their tunnels by BC, some members of the community resorted to the use of barricades to slow the company's progress. Due to protests against BC's expansion, in March 1990 troops were sent to implement a court order to lift the barricades. DENR responded to community protests by halting construction of BAGO pending the completion of an Environmental Compliance Certificate (ECC). According to DENR, BC has proposed satisfactory measures for the mitigation of BAGO's negative environmental effects. DENR also believes that BC's plan to establish an industrial and residential estate in the area after the completion of its projects is complementary to the Government's economic development plans. It therefore issued an Environmental Compliance Certificate to BC.

55. Within the Itogon community, friction has arisen between those who are opposed to open-pit mining and those who favour it. The continued presence of military forces has increased the tension experienced by the community. With the cessation of underground operations, it is reported that economic activity has slowed. Access to public transportation out of the community is limited. Elementary schools are being phased out and consolidated. The people feel that BAGO adversely affects many aspects of their lives and livelihoods, and hold BC accountable for their economic displacement, physical dislocation and the environmental degradation of Itogon.

5. Mining and the Amungme of Irian Jaya, Indonesia

56. People have lived on the island of New Guinea for between 40,000 to 50,000 years. Irian Jaya is the least populated and least developed region of Indonesia, with a population of 1.5 million. Most are indigenous peoples who live throughout the 410,660 square kilometre area of forests, mountains, lakes and rivers (Indonesia National Development Office, 1988). The indigenous peoples of Irian Jaya have developed a well-balanced system of food production and maintained an equilibrium between population size and land area. The relationship between the indigenous peoples and their land is characterized by "collective mutual ownership". This relationship between land and people is defined as one in which tribal peoples belong to the land they own and use, therefore, forest, rivers and sea are basic and integral to the Amungme community and their traditional economy (Anti-Slavery Society, p. 12).

57. Irian Jaya possesses a series of high mountain ranges, mangrove swamps and jungles. Due to the differences in climate and terrain, distinct settlements have formed in both the high and lowland areas, making food production different from place to place. For example, the Central Highlands region has developed a complex system of gardening which includes sophisticated drainage and irrigation techniques. Among the tribal groups of Irian Jaya are the Amungme, who number 13,000. They live by hunting and shifting horticulture.

58. The Indonesian Government is quoted as describing its tribal peoples as "backward, alien and isolated", who have "stayed away from the mainstream of cultural development" because of their "impoverished culture" and their "pre-village" social organization. There are 2 million indigenous people in Indonesia who inhabit "public" lands and/or are subject to the jurisdiction of government development programmes (Survival International, n.d.). Most indigenous peoples live in forested areas which possess an abundance of natural resources. The Indonesian Forestry Department has jurisdiction over 113 million hectares of forested area. Additional forest areas have been reserved for mining and oil exploration; and in many cases, mining and oil reserves overlap with forestry boundaries. Under the Basic Agrarian Law of 1960, the Government has the legal authority to reallocate what it deems to be under-utilized lands for development purposes (World Bank, 1990, p. 30).

59. Irian Jaya has become a primary location of intensive mining activity for Freeport-McMoRan Copper and Gold Inc. Freeport was the first transnational to operate in Indonesia after the Suharto Government assumed power. Freeport-McMoRan Copper and Gold Inc. is an affiliate of the natural resources conglomerate Freeport-McMoRan Inc., a United States transnational corporation. Freeport-McMoRan Copper and Gold, Inc. explores for, produces, processes, mines and markets copper, gold and silver. Freeport's operations in Indonesia are carried out by a majority-owned subsidiary, Perusahaan Terbatas Freeport Indonesia Company (PT-FI), of which 10 per cent is owned by the Indonesian Government, and 10 per cent by a group of Indonesian business investors (Freeport McMoRan Copper and Gold Inc. Annual Report, 1991). In 1990, total foreign direct investment in Indonesia was US$ 3.7 billion. Of that total, foreign direct investment in mining and quarrying was US$ 219.7 million (UNCTC, 1992, pp. 143-144).

60. Freeport operates its Ertsberg mine on a 24,700 hectare contract area on the southern coast of Irian Jaya. In 1991, Freeport signed a new contract with the Indonesian Government to explore an additional 6.5 million acre tract. In addition to Ertsberg, Freeport is mining the neighbouring Grasberg ore body, which is reported to be the largest single gold reserve, and one of the five largest copper reserves in the world (Freeport-McMoRan Copper and Gold Inc. Annual Report, 1991). PT-FI has completed the principal production facilities for its expansion of copper and gold mining and milling activities in Irian Jaya. The new complex increases overall production to 57,000 metric tons of ore per day (MTPD), a record of volume and sales for Freeport. Freeport's economic performance has improved from US$ 189 million in 1987 to US$ 467 million in 1991 (Freeport-McMoRan Annual Report, 1991).

61. The Government's fifth five-year development plan (1989-1994) coincides with Freeport's recent expansion. The five-year plan focuses on the eastern region of Indonesia, which includes the province of Irian Jaya. The Government believes that Irian Jaya has the potential to become one of the wealthiest of Indonesia's resource-rich islands (Indonesia National Development Office, 1988).

62. Prior to the establishment of Freeport mining operations, the province of Irian Jaya was relatively underdeveloped with limited economic activity and rudimentary infrastructure. Today, Freeport's mining complex in Irian Jaya includes a port at Amamapare; a town and airport at Timika; a mill and township called Tembagapura; an aerial tramway with an unsupported span of 1,632 metres to link the mill with Ertsberg; and a 115 km slurry pipeline to move the ore concentrate to the port (Schwarz, 1991, p. 48).

63. Freeport is the largest employer in the province. Of their 7,400 employees, 95 per cent are Indonesian, of whom approximately 13 per cent are Irianese (Schwarz, 1991, p. 48). Freeport's tendency to hire non-Irianese for skilled and managerial jobs has caused resentment among many local peoples. Many of the skilled jobs are given to Indonesians from outside Irian Jaya, and to Filipinos who have been recruited for their specialized mining skills (Indonesia National Development Office, 1988). Managerial positions are held by Europeans, North Americans and Australians. Freeport's long-term goal of "Indonesianizing" the company does not guarantee local peoples increased employment opportunities, because competition is likely to intensify as an increasing number of migrants come to the province. Indonesia's transmigration programme also promotes the resettlement of people from overpopulated areas to less populated islands such as Irian Jaya. Not only does transmigration alleviate the problem of uneven population growth, but it also meets Freeport's demand for labourers in Irian Jaya.

64. A PT-FI general manager says that although Freeport is committed to employing and promoting Irianese, they can only do so as local peoples' abilities improve. The company has built several settlements for Irianese seeking jobs. In addition, Freeport finances several vocational training programmes in Irian Jaya and plans to help fund small-scale enterprises (Schwarz, 1991, p. 48). These recent efforts of investing in local people and institutions may offset some of the negative effects the mining operations have had on the Amungme people and their land.

65. In compensation for the loss and commercial development of the Amungme's land, the Indonesian Government and Freeport have established resettlement areas, community social services, schools and training. Most resettlement plans lacked consultation with the local peoples. Some non-governmental organizations contend that implementation of such plans and/or agreements between the company and local peoples is not satisfactory. It has been reported that resettlement areas and community facilities, such as hospitals and schools, are inadequate. The resettlement areas are not compatible with Amungme traditional lifestyle, because the areas are technically unsustainable and/or culturally inappropriate (World Bank, 1990, p. xvii). The climate and ecological environment on the coasts is different from the central mountain range and forests they traditionally inhabit. Moreover, because of the prevalence of malaria on the coasts, many Amungme have chosen to go back to their homes near the mine site (IRJA-DISC Amungme Working Group, 1985, p. 25).

66. Freeport's mine site covers the area where the Amungme have traditionally held religious celebrations to worship and bury their dead. The Amungme have lived in both the high and lowlands, moving between the two areas in their search for the secret to eternal life (Hai). Freeport's mining operation in the Ertsberg mountain has destroyed what is a natural symbol of Amungme religion, disrupting their religious practices.

67. Freeport has invested in the usual mine infrastructure network of ocean ports, roads, mountain tunnels and pipelines which has entailed clearing and converting forested and gardening areas. However, it has not invested sufficiently in environmental infrastructure and it uses waterways as depositories for tailings, discharges and seepage of waste. Freeport's President, George A. Mealy, states that there is no alternative to discharging mill tailings into the river system. According to Freeport, water quality and biological studies of the river system show that mill tailings have not had a significant impact on water quality and biological organisms in the river (Environmental Defense Fund, 1990).

68. As of 1991, the company evaluation of water quality was based on just one sample. An adviser to Indonesia's Ministry of Environment noted that "the planned increase in tailings 'will profoundly change the nature of the (Ajikwa) river'". There also is an increased risk of possible leakage of toxic minerals from the tailings into the river because the mixed rock from the Freeport mine contains minerals such as zinc, copper, nickel and arsenic (Schwarz, 1991, p. 48). Freeport's dumping of waste into Irian Jaya's river systems poses a direct threat to the Amungme who depend upon the river for fishing, drinking water, and washing. If the region's waterways are not maintained or monitored for health and safety hazards, Amungme will face increasing pressure to adopt non-traditional methods for their livelihood.

69. On a national level, the impact of Freeport's mining operations appears to be positive, contributing tax revenues, export revenues, technological development and infrastructure building. However, such developments have been very costly for the Amungme, who have had little opportunity to participate in the decision-making process of project and programme design and implementation. Freeport's mining operations are not only altering the environment and restructuring the landscape of Irian Jaya, but have attracted outside labourers. The influx of immigrants and consequent population growth

puts pressure on the existing physical and social infrastructure. Transmigration and the creation of mining communities have produced social tensions that are related to land disputes and/or cultural friction between local peoples and newcomers. Freeport's mining operations have simultaneously changed the ecological environment and the socio-economic system of the Amungme. The social and economic security of the Amungme and other indigenous peoples of Irian Jaya become more uncertain as Freeport's mining operations expand and government development plans accelerate.

References

Africa Report (1990). Cameroon's Korup rainforest struggles to survive.

Anti-Slavery Society (1990). West Papua, plunder in paradise. London: Anti-Slavery Society.

Cartwright, John (1991). Is there hope for conservation in Africa? Journal of Modern African Studies, vol. 29, No. 3, September 1991.

Cleaver, Kevin et al., eds. (1992). Conservation of West and Centra. African Rain Forests. Washington, D.C.: World Bank.

Economist Intelligence Unit (1992). Country Profile: Burma/EIU. London: Economist Intelligence Unit.

Economist Intelligence Unit (1993). Cameroon Country Profile. London: Economist Intelligence Unit.

Environmental Defense Fund (1990). Newsletter. Washington, D.C.: Environmental Defense Fund.

Financial Times (1993). Oil boom in CIS may attract $85 billion. Financial Times, 5 May 1993.

Freeport McMoRan Copper and Gold Inc. (1991). Annual Report.

Friedland, Jonathan and Bertil Lintner (1991). A policy of pillage. Far Eastern Economic Review, 8 August 1991.

Grut, Mikael et al. (1991). Forest Pricing and Concession Policies. Washington, D.C.: World Bank.

Gumbel, Peter (12/23/88). "Save the reindeer", Wall Street Journal.

Harbinson, Rob (1992). Burma's forests fall victim to war. Ecologist, vol. 22, No. 2.

Hawkins, Jeff (1991). Cameroon puts out welcome mat for foreign investment. Business America, 11 March 1991.

Horta, Korinna (1991). The last big rush for the green gold: the plundering of Cameroon's rainforests. The Ecologist, vol. 21, No. 3.

Indonesia National Development Office (1988). Irian Jaya's natural resources attract American companies. Indonesia Development News, vol. 12, No. 2. Indonesia: National Development Office.

Indonesia National Development Office (1988). Freeport celebrates most profitable year. Indonesia Development News, vol. 12, No. 2. Indonesia: National Development Office.

International Working Group on Indigenous Affairs (1990). Indigenous Peoples of the Soviet North. Copenhagen: IWGIA.

IRJA-DISC Amungme Working Group (1985). Current state of Amungme people of southern Irian Jaya.

Khin, Jimmie Aung and David Johnston (1992). Myanmar exploration hitting stride on 1989-90 licensing round blocks. Oil & Gas Journal, 7 December 1992.

Kyin, Shwe Nai (1993). Response to CTC questionnaire.

Lewis, H.R., Amoco Eurasia, 1993. Personal communication.

Lintner, Bertil (1989). Back in the game. Far Eastern Economic Review, 26 October 1989.

Lintner, Bertil (1992). Burmese plunder. Far Eastern Economic Review, 4 June 1992.

New Mon State Party (1985). The New Mon State Party (booklet).

Ndongko, W.A. (1986). The political economy of Cameroon. Development and Peace, vol. 7.

O'Rouke, Dara (1992). Oil in Burma: fueling oppression. Multinational Monitor, October 1992.

Oil & Gas Journal (1993). Sharp changes due in Russian gas industry. Oil & Gas Journal, 1 November 1993.

Oil & Gas Journal (1992). Russia pins energy hopes on western Siberia gas. Oil & Gas Journal, 9 July 1992.

Reuter Textline-Novecon, 1993.

Schwarz, Adam (1992). Trade for trees. Far Eastern Economic Review, 4 June 1992.

Schwarz, Adam (1991). Mining a mountain. Far Eastern Economic Review, 4 July 1991.

Survival International. Tribal peoples of Indonesia. London: Survival International.

UNCTC (1992). World Investment Directory 1992: Volume I, Asia and the Pacific. New York: United Nations Centre for Transnational Corporations.

UNCTC (1993). World Investment Directory 1993: Africa and West Asia. (Forthcoming) New York: United Nations Centre for Transnational Corporations.

UNCTC (1993). World Investment Report 1993: Transnational Corporations and Integrated International Production. New York: UNCTC programme on transnational corporations.

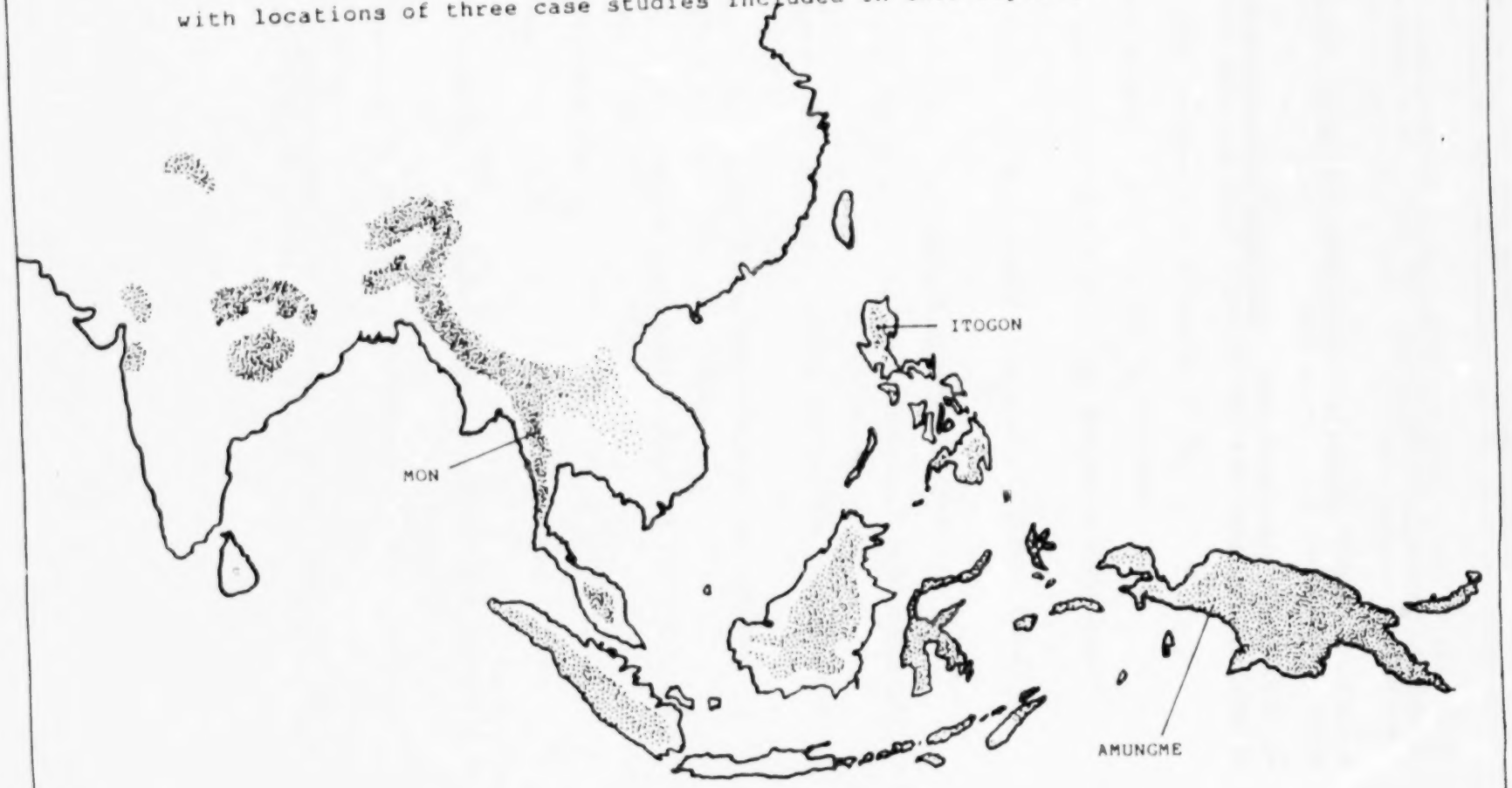
World Bank (1990). Indonesia: Sustainable Development of Forests, Land and Water. Washington, D.C.: World Bank.

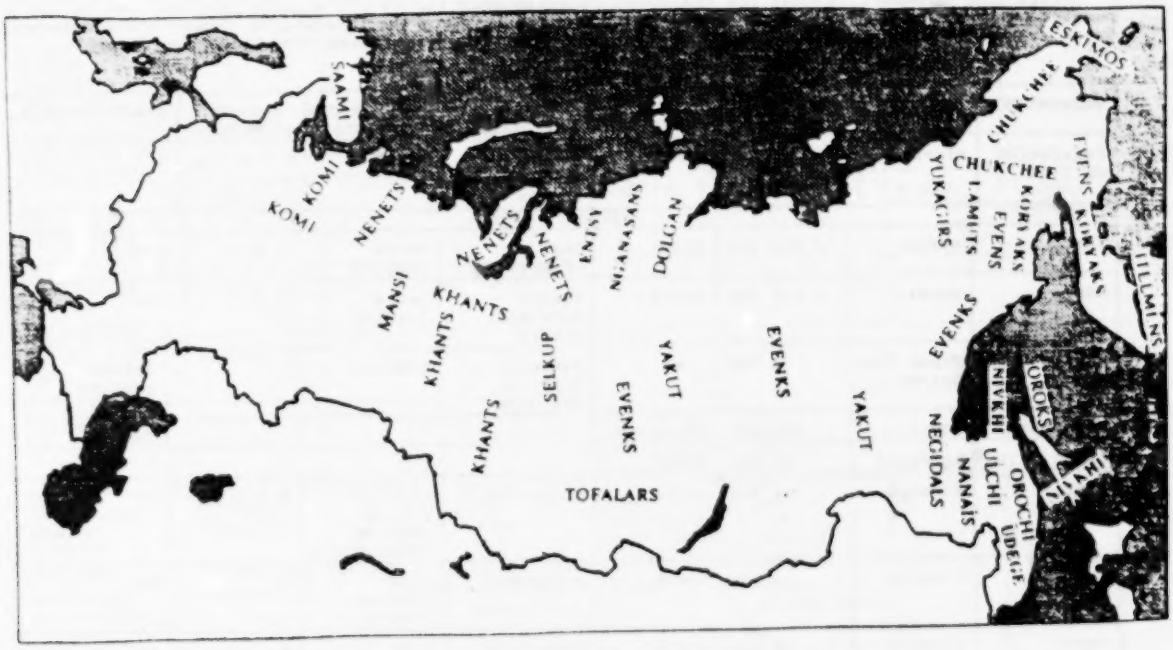
World Resources Institute (1990). Indigenous Peoples and the Tropical Forestry Action Plan. Washington, D.C.: World Resources Institute.

MAP 1.

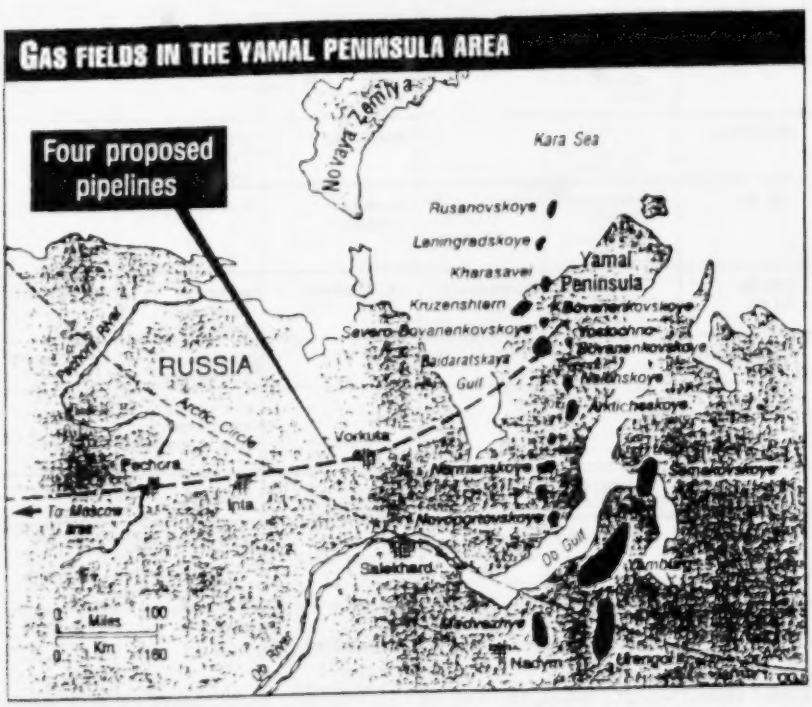
SIGNIFICANT CONCENTRATIONS OF INDIGENOUS AND TRIBAL PEOPLES IN SOUTH AND SOUTHEAST ASIA

with locations of three case studies included in this report.





MAP 2. NATIVE PEOPLES OF THE RUSSIAN FEDERATION
Source: Minority Rights Group.



Source: Oil & Gas Journal

Table 2: SUMMARY OF QUESTIONAIRE RESPONSES

This chart summarizes only the responses received thus far to CTC's questionnaire, and is not a complete survey of relevant countries and peoples. It reflects the opinions of those individuals and organizations that responded, and has not been substantiated or updated from other sources.

REGION: AFRICA

RESPONDENT	COUNTRY	POPULATION	LAND OWNERSHIP	TNC NAME/ NATIONALITY	ECONOMIC SECTORS	REPORTED IMPACTS*	PARTICIPATION
Federation of Ijaw	Nigeria	6 000 000	State	Shell, Agip Chevron, BP others	petro	E S H U W	No

REGION: ASIA

Karen	Burma	2 000 000	State	Thai, Chinese	petro logging	D W S	No
Mon	Burma	6 400 000	State	Texaco Kirkland, others	petro logging	D W S	No
Zibram	Papua New Guinea	1 000	Clan	Western District Seafoods	fishery		Shared profits
Sundarban	India	400 000	State				Yes
Orang Asli	Malaysia	83 000	State				
Shori	Siberia	16 500	State	parastatal	tourism mining logging agriculture	D S U	No
Evenks	Siberia	1 500	State	parastatal	gold fishing logging	S	No
Nanai	Siberia	10 000	State	parastatal	fishing hunting	S	No
Aliuts	Siberia	500	State	parastatal	fishing hunting agricluture	E S	No

REGION: LATIN AMERICA

RESPONDENT	COUNTRY	POPULATION	LAND OWNERSHIP	TNC NAME/ NATIONALITY	ECONOMIC SECTORS	REPORTED IMPACTS	PARTICIPATION
Kechuay-mara Aymaras Kechuas	Bolivia	65% of nat'l					
CIDOB	Bolivia			PROVISA	plantations forestry petro	E	No
Aukin Wallmapu Ngulam (Mapuches)	Chile	900 000		Bomasa (Japan)	forestry	E S D W	No
Asociacion Sejekto	Costa Rica	30 050	Communal reserve	US, Canada	petro, mining, forestry	N E W D	No
MISATAN (Miskitos)	Nicaragua	300 000			mining forestry	W D S H	No
Movimiento de la Juventud Kuna	Panama	50 000		US	forestry tourism plantations	S	
Comarca Guaymi	Panama	54 000		RTI Texas Gulf	mining	E W S	No
Centro de Estudios Humanitari os Guarani	Paraguay	3 000		German, others	plantations	E W S D	
CONIVE (Karina, Chaimas, Warao)	Venezuela	30 000		Shell Mitsubishi	petro	U W E D H S	no indemni-fication

*D=deforestation; E=ecological; H=health; N=drug trafficking; R=increased revenue/employment; S=socio-cultural; U=urbanization; W=water quality

Table 2 (continued)

REGION: NORTH AMERICA

RESPONDENT	COUNTRY	POPULATION	LAND OWNERSHIP	TNC NAME/ NATIONALITY	ECONOMIC SECTORS	REPORTED IMPACTS*	PARTICIP ATION
False Pass Tribal Council (Aleuts)	Alaska US	75	Corporate	Peter Pan (Japan) Western Pioneer, US	fishing	E S	
Inupiat Community of the Artic Slope	Alaska US		Corporate	AMOCO, CONOCO, others	petro mining	D E S H	
Native Village of Point Hope (Inupiat)	Alaska US		Corporate	COMINCO	mining	E S H	lease royalty
Unalakleet Native Corporation	Alaska US	639	Corporate		aquaculture		
Navaho-Hopi Land Commission	Arizona US	225 000	Communal reserve				
Navajo Nation	Arizona US	141 105	Communal reserve	BHP Petro. General Dynamics, others	petro manufac-turing		lease royalty
Mississippi Band of Choctaw Indians	Mississippi US	5 000	Communal reserve	American Greetings Corp. US	manufac-turing logging agriculture	R	managm't contract
Fort Peck Assiniboine Sioux Tribe	Montana US	6 250	Communal reserve	Exxon	petro agriculture		
Ely Shoshone	Nevada US	250	Communal reserve		manufac-turing		
Western Shoshone	Nevada US	7 000	Communal reserve		nuclear testing	E S H	
Zia Pueblo	New Mexico US	804	Communal reserve	Centrix American Gypsum	mining agriculture	R	lease contract
Mohawk Council of Akwesasne	New York US	10 000	Communal reserve	ALCOA Reynolds Metal Co.	smelting fishing agriculture	E H S W	no
Turtle Mountain Band of Chippewa	North Dakota US	14 000			tourism forestry	D	leases
Chickasaw Nation	Oklahoma US	26 000			tourism mining		
Confed Tribes of Coos, Lower Umpqua & Siuslaw	Oregon US	400		Weyerhauser Georgia Pacific	mining logging	D E S	
Chehalis Tribe	Washington US	2 000	Communal reserve	Weyerhauser ITT Rainier Norwegian	aquaculture logging mining hydo-power	D E S	
Colville Tribal Planning	Washington US	7 500			logging mineral hydro	D E S	No hydro leases
Kalispel Tribe	Washington US	232	Communal reserve				
Lummi Nation Nooksak Tribe	Washington US	3 500	Communal reserve		logging agriculture		
Port Gamble S'Klallam Tribe	Washington US	400			logging	D E S	
Swinomish Indian Tribal Community	Washington US	650			logging aquaculture tourism	D E S	
Stockbridge-Munsee Comunity Band of Mohican Indians	Wisconsin US	927	Communal reserve		logging		

*D=deforestation; E=ecological; H=health; N=drug traffic; R=increased revenue/employment; S=socio-cultural; U=urbanization; W=water quality